

UNITED STATES BANKRUPTCY COURT

FOR THE

EASTERN DISTRICT OF VIRGINIA

Alexandria Division

In re:	:	
Michelle Campbell-Thomas	:	Chapter 13
	:	Case No. 07-11516-RGM
Debtor	:	
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	:	
America's Servicing Company	:	
Plaintiff	:	
	:	Relief From Stay
v.	:	Contested Matter
	:	No.
Michelle Campbell-Thomas	:	
Respondents	:	

**DEBTORS ANSWER TO MOTION FOR RELIEF FROM STAY OF
AMERICA'S SERVICING COMPANY**

**Debtor, through undersigned counsel, responds to the Motion for
Relief from the Automatic Stay filed herein by America's Servicing Company as
follows:**

- 1. The allegations of paragraphs 1, 2, 3, 4 and 6 are admitted.**
- 2. The allegations of paragraphs 5 and 7 are denied.**

Nathan Fisher, VSB #37161
Counsel for Debtor
3977 Chain Bridge Rd., #2
Fairfax, VA 22030
(703) 691-1642

3. The subject property is necessary for an effective reorganization as it constitutes a primary motivation for the filing of the petition herein;

4. There is currently equity in the subject property.

5. To the extent that a post-petition mortgage arrearage exists, same can be cured by adding the arrearage into the remaining term of the chapter 13 plan or by the debtor making his regular mortgage payment, along with a partial mortgage payment, over a period of six months time.

WHEREFORE, because 11 U.S.C. 362(d) of the Bankruptcy Code provides that the Court shall grant a party in interest relief from the stay:

(1) "for cause, including the lack of adequate protection of an interest in property of such party in interest," (11 U.S.C. 362(d) (1)), or, alternatively, (2) if "the debtor does not have an equity in such property and such property is not necessary to an effective reorganization," (11 U.S.C. 362(d) (2) (A) & (B)), and because in this case the movant's interest in the subject property is adequately protected and the subject property is necessary to an effective reorganization, Debtor requests that this Court deny Plaintiff's Motion for Relief from Stay, and for such other relief as this Court deems appropriate.

Dated: September 12, 2007

Respectfully Submitted
Michelle Campbell-Thomas
By Counsel:
/s/ Nathan Fisher
Nathan Fisher
3977 Chain Bridge Rd., #2
Fairfax, VA 22030
(703) 691-1642

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of September, 2007, I served the foregoing, via first-class mail, on the following, who are all necessary parties under Local Rule 4001(a)-1(E)(1):

Gerald M. O'Donnell
211 North Union Street,
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Michelle Campbell-Thomas
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/s/ Nathan Fisher
Nathan Fisher